

ORDINANCE NO. 2016-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING CHAPTER 4, ARTICLE 4, DIVISION 2 AND ASSOCIATED DEFINITIONS IN CHAPTER 8 OF THE LAND DEVELOPMENT CODE TO MODIFY THE STANDARDS FOR EXTERIOR BUILDING MATERIALS APPLICABLE TO NON-RESIDENTIAL BUILDINGS IN COMMERCIAL, PUBLIC AND INDUSTRIAL ZONING DISTRICTS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. City staff has proposed and the Planning and Zoning Commission has considered amendments to the Land Development Code regarding standards for exterior building materials for non-residential buildings in commercial, public and industrial zoning districts.

3. The City Council hereby finds and determines that modifications to such existing exterior building material standards is in the interest of the public health, welfare and safety.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The Land Development Code is amended as set forth below. Added text is indicated by underlining. Deleted text is indicated by strikethroughs.

SECTION 2. Chapter 4, Article 4, Division 2, Exterior Construction and Design Requirements, is amended as follows:

DIVISION 2: EXTERIOR CONSTRUCTION AND DESIGN REQUIREMENTS

Section 4.4.2.1 Exterior Material Requirements for Buildings

(a) *Applicability.* The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all exterior building walls of all new construction and to all new additions to existing buildings. Where alterations, remodeling or repairs result in an expansion of over 50% of the gross floor area of the existing structure, the standards and criteria within this section shall apply to the entire structure. These standards apply to all nonresidential and Industrial buildings within the City, as defined by Chapter 4, Article 2 of the Land Development Code, and to all buildings located within the T5 Zoning District as defined in Subpart C, San Marcos SmartCode.

(b) *Exemption.* The following properties are exempt from standards applied to exterior materials:

- (1) Property located within the municipal airport; and
- (2) Residential uses other than multi-family (multi-family design standards are found in Division 3 of this Article);

(c) *Exterior material standards.* The following standards shall apply to all nonresidential and Industrial building walls:

- (1) In commercial and public zoning districts, a minimum of 80% of each building wall shall be of Primary Materials and up to 20% of each building wall may be of Secondary Materials.
 - a. A request for an additional 10% of Secondary Materials or 10% Alternative Materials may be considered by the Director.
 - b. *Primary Materials:* Brick, Stone, Stucco, Rock, Marble, Granite, Decorative Concrete Masonry Units, Decorative Concrete Tilt wall a Combination of Glass and Steel Framework, however when glass is mirrored, only less than 20% reflectivity is permitted.
 - c. *Secondary Materials:* Wood, Architectural Metal, Glass Block, Tile.
 - d. *Other Materials:* Cementitious Fiber Board may only be used for covered balconies, porches, patios, fascia, soffits, interior portions of covered stairways, breezeways, hallways, corridors, walkways with a roof covering, window accents. Use of any other material shall be approved through the 10% Director approved additional material request or a conditional use permit as detailed in Section 4.4.2.4
- 2) In industrial districts, a minimum of 70% of each building wall shall be of Primary Materials and up to 30% of each building wall may be of Secondary Materials.
 - a. A request for an additional 10% of Secondary Materials or 10% Alternative Materials may be considered by the Director.

- b. *Primary Materials:* Brick, Stone, Stucco, Rock, Marble, Granite, Concrete Tiltwall, a Combination of Glass and Steel Framework.
- c. *Secondary Materials:* Wood, Architectural Metal, Glass Block, Tile.
- d. *Other Materials:* Cementitious Fiber Board may only be used for covered balconies, porches, patios, fascia, soffits, interior portions of covered stairways, breezeways, hallways, corridors, walkways with a roof covering, window accents. Use of any other material shall be approved through the 10% Director approved additional material request or a conditional use permit as detailed in Section 4.4.2.4.

Section 4.4.2.2 Exterior Design Requirements for Buildings

(a) *Applicability.* The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all exterior building walls of all new construction and to all new additions to existing buildings. Where alterations, remodeling or repairs result in an expansion of over 50% of the gross floor area of the existing structure, the standards and criteria within this section shall apply to the entire structure. These standards apply to all nonresidential and Industrial buildings within the City, as defined by Chapter 4, Article 2 of the Land Development Code and to all buildings located within the T5 Zoning District as defined in Subpart C, San Marcos SmartCode.

(b) *Exemptions.* The following properties are exempt from standards applied to exterior building design:

- (1) Property located within the airport; and
- (2) Residential uses other than multi-family;

(c) *General Design Standards.* The design of all applicable properties shall utilize at least three of the five listed design elements found in the Technical Manual. Each design element includes multiple techniques for achieving compliance. The Director shall have all plans reviewed to assure the adequacy and application of these design elements to meet the purposes of this Land Development Code.

(d) *Design Requirements for Specific Types of Structures.*

- (1) *Temporary Construction Buildings.* Temporary buildings and temporary building material storage areas to be used for construction purposes may be permitted for a specific period of time in accordance with a permit issued by the Building Official and subject to periodic renewal by the Building Official for cause shown. Upon completion or abandonment of construction or expiration of a permit, the field offices or buildings and material storage areas shall be removed to the satisfaction of the Building Official.

Section 4.4.2.3 Procedure for Review of Exterior Design and Materials

(a) Drawing(s) depicting the exterior design and materials of buildings, in sufficient detail to verify compliance with the requirements of this Division, shall be submitted at the time the Site Preparation Permit application is submitted, and again at the time the Building Permit application is submitted. These requirements shall be illustrated, along with calculations and/or specifications of how building envelopes shown on Site Preparation Permits will meet the requirements for materials and design.

(b) If requested by the City, a sample(s) of the proposed exterior finish material(s) may be required to be submitted with the Site Preparation Permit application.

(c) If the Director cannot determine compliance with design or materials requirements through the variety of mechanisms and alternatives provided in this Land Development Code, the Site Preparation Permit shall not be approved until the applicant either revises the proposed design or materials to comply with the requirements, or the applicant obtains a Conditional Use Permit for alternative design or materials under Section 4.4.2.4.

Section 4.4.2.4 Procedure for Approving Alternative Exterior Designs or Materials

(a) All requests for alternative exterior design or materials shall be clearly written, specifically noted, and described on the Site Preparation Permit application.

(b) Requests for use of additional Secondary or Alternative Materials, as described in section 4.4.2.1 above, shall be decided by the Director.

(c) Relief from a decision of the Director may be appealed to the City Council through application for a Conditional Use Permit. The CUP will be decided based on the following criteria:

- (1) The approved alternative meets the intent of the Exterior Design and Materials Standards to an equivalent or better degree than the minimum standards required;
- (2) The request conforms to the Comprehensive Plan and adopted City Plans;
- (3) The request is based on a unique character of the property or proposed use;
- (4) Financial hardship is not the basis for the request; and
- (5) The request is offset by additional architectural treatments and increased vertical landscaping.

SECTION 3. Chapter 8, Article 1, Definitions, is amended to modify the definition for “Exterior Features” as shown in Exhibit “A,” attached hereto and made a part hereof for all purposes.

SECTION 4. In codifying the changes authorized by this ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate consistent with the numbering and formatting of the San Marcos City Code.

SECTION 5. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 6. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 7. This ordinance will take effect after its passage, approval and adoption on second reading.

PASSED AND APPROVED on first reading on August 16, 2016.

PASSED, APPROVED AND ADOPTED on second reading on September 20, 2016.

Daniel Guerrero
Mayor

Attest:

Approved:

Jamie Lee Case
City Clerk

Michael J. Cosentino
City Attorney

EXHIBIT A
Chapter 8 Definition
[Following Pages]



COMMERCIAL, INDUSTRIAL & PUBLIC MASONRY DEFINITIONS

NOTE: The following definitions were developed through research of various sources such as the International Building Code (IBC) and the latest versions of online Dictionaries including Webster 's

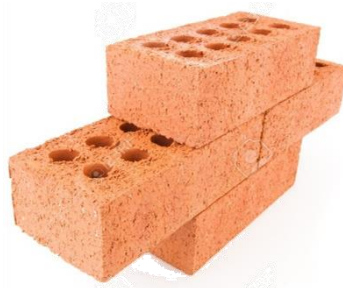
Land Development Code Chapter 8 (Definitions)

109. *Exterior Features* include the architectural style, general design and general arrangement of the exterior of a building or other structure, including, the kind and texture of the building materials and the type and style of all windows, doors, walls, roofs, light fixtures, signs, other appurtenant features and significant trees. For signs, the term exterior features means the style, material, size, and location of all signs. For the purposes of this Land Development Code, a change in exterior color is not deemed to be a change in exterior features. The following definitions shall apply for building materials required for nonresidential exterior walls. The building wall shall be defined as the portion of any exterior elevation on a building extending from the roof or parapet to the ground and from one corner of the building to another but does not include any structural or nonstructural elements which extend beyond the roof of a building and excluding void areas, such as doors and windows.

- a. *Brick*: a small (typically 4 inch by 8 inch, hard, solid or hollow masonry block made of kiln fired or sun-dried clay or shale; or made of pressed sand and lime which is bonded together with mortar or grout.



Clay bricks – Solid and Hollow
Typically tones of red and brown in color



Sand and Lime Bricks – Solid and Hollow
Typically tones of gray in color

- b. *Stone*: includes naturally occurring granite, marble, limestone, slate, river rock, and other similar hard and durable all weather stone that is customarily used in exterior building construction; may also include cast or manufactured stone product, provided that such product yields a highly textured stone-like appearance, its coloration is integral to the masonry material and shall not be painted on, and it is demonstrated to be highly durable and maintenance free; natural or manmade stone shall have a minimum thickness of two and five eighths inches when applied as a veneer.



Stone – with regularly finished shapes



Stone – with irregularly finished shapes



Marble – historically used for government buildings, typically used in white/gray tones
(pictured above: Tennessee State Supreme Court Building)

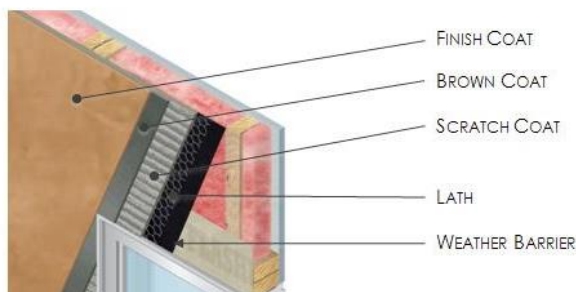


Granite – Blocks
With finished and rough surfaces

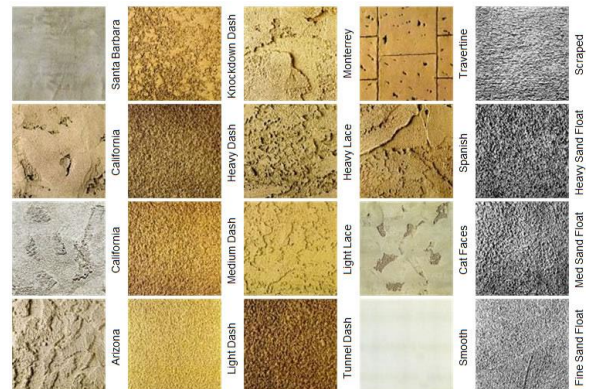


Granite – Cladding
(pictured above: Wortham Theater Center, Houston)

c. *Stucco*: a fine cement plaster typically made of cement sand and lime, applied using a three step process to form a hard, durable covering for exterior walls. This definition shall not include synthetic stucco or EIFS as defined in the International Building Code.



Stucco – Typical 3-step assembly process



Stucco – available in a variety of colors, can be applied with a variety of finishes

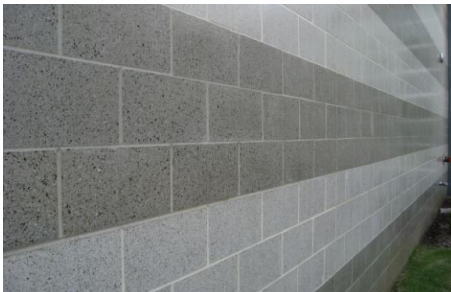
d. *Decorative Concrete Masonry Unit (D-CMU)*: a large (typically 8 inch by 16 inch) hollow concrete block treated to have one of the following decorative finishes: Split Face, Ground / Pompeii Face, Polished / Burnished Face or the like. Includes highly textured finish, such as split faced, indented, hammered, fluted, ribbed, or similar architectural finish; coloration shall be integral to the masonry material and shall not be painted on; minimum thickness of three and five eighths inches when applied as a veneer; shall include light weight and featherweight concrete block or cinder block units.



D-CMU – Split Faced
Designed to resemble natural split stone



D-CMU – Ground / Pompeii Face
Designed to resemble limestone, sandstone or marble



D-CMU – Polished / Burnished
Face Similar to Ground Face with
additional buffing to create a
high gloss finish

e. *Combination of Glass and Steel*: a method of building nonresidential structures with a steel frame and glass exterior walls, with less than 20% reflectivity



Combination of Glass and Steel

f. *Wood*: the hard fibrous substance, found beneath the bark, that makes up the greater part of a tree's trunk which is cut and dried for use as a building material. The following Naturally Durable Wood species (listed in the International Building Code) are preferred: Redwood, Black Locust, Black Walnut, Alaska Yellow Cedar, Eastern Red Cedar, Western Red Cedar. This definition shall not include Cross-Laminated Timber or Structural Composite Lumber as defined in the International Building Code.



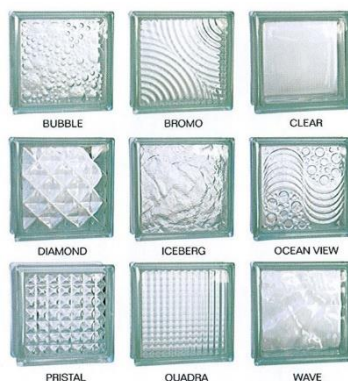
Wood – Shown as an accent material on a commercial building

g. *Architectural Metal*: metals used for decorative architectural purposes. Includes insulated architectural metal panels, and rain screen architectural metal panels with no exposed fasteners. Also includes corrugated metal with no exposed fasteners which may be used only to reinforce a vernacular design theme provided that it does not exceed the allowable percentages as outlined in the Exterior Material Requirements for Buildings in the Land Development Code.



Architectural Metal – used as building accents
Left: accents of aluminum and metal panel Right: Accents of copper

h. *Glass Block*: a hollow translucent block, usually with a textured exterior, made of fused glass bonded together by mortar or grout.



Glass Block – available in many textures, some of which are displayed above

i. *Tile*: a usually flat piece of hard, baked clay, stone, concrete or other similar material used for cladding walls. For structural clay tiles, please refer to the definition for “Brick.”



Tile – varying in shape and size, can resemble the appearance of Brick, D-CMU, Stone, Etc.

j. *Cementitious Fiber Board*: a manufactured, thin composite material made of sand, cement and cellulose fibers. Also referred to as Fiber Cement, Fiber Board, Hardie / Hardie Plank / Hardie Board, etc.



Cementitious Fiber Board – siding



Cementitious Fiber Board – panels

k. *Concrete Tilt Wall* (also referred to as Concrete Tilt Up): A precast or cast on site, horizontal slab of concrete which is raised into position to form the exterior wall of a building.



Concrete Tiltwall – may be precast or cast on site

I. *Decorative Concrete Tilt Wall* (also referred to as Concrete Tilt Up): A precast or cast on site, horizontal slab of concrete which is raised into position to form the exterior wall of a building. The slab is then finished by adding texture by means of stamping, placing formliners to create curves and shapes, including exposed aggregate, embedding brick-faced panels, and using cast-in elements.



Decorative Tilt Wall – brick panels



Decorative Tilt Wall – form liners